

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rojas et al. Examiner: Unassigned  
Serial No.: 10/634,645 Group Art Unit: 1645  
Filed: August 5, 2003 Docket: 60068.0002US01  
Title: Fusion Proteins With A Membrane Translocating Sequence And Methods Of Using Same To Inhibit An Immune Response

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2003.

By: 

Name: Joseph M. Bennett-Paris

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 51 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Joseph M. Bennett-Paris

Reg. No.: 47,226

JMP:jls



S/N 15/634,645

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Rojas et al.	Examiner:	Unassigned
Serial No.:	10/634,645	Group Art Unit:	1645
Filed:	August 5, 2003	Docket No.:	60068.0002US01
Title:	Fusion Proteins With A Membrane Translocating Sequence And Methods Of Using Same To Inhibit An Immune Response		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 25, 2003.

By: \_\_\_\_\_

Name: Joseph M. Bennett-Park

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

S/N: 10/634,645

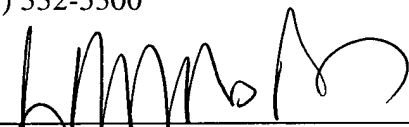
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

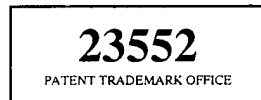
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

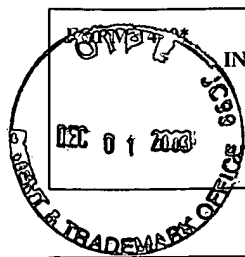
Date: November 25, 2003



---

Joseph M. Bennett-Paris  
Reg. No. 47,226  
JMP:js





## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60068.2US01

Application Number:

10/634,645

Applicant: ROJAS ET AL.

Filing Date: 08/05/2003

Group Art Unit: 1645

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	6,248,558 B1	06/19/2001	Lin et al.		
	A2	6,254,854 B1	07/03/2001	Edwards et al.		
	A3	6,399,102 B1	06/04/2002	Edwards et al.		
	A4	6,432,680 B1	08/13/2002	Lin et al.		
	A5	6,436,443 B2	08/20/2002	Edwards et al.		
	A6	6,447,752 B2	09/10/2002	Edwards et al.		
	A7	6,447,753 B2	09/10/2002	Edwards et al.		
	A8	6,136,295 C1	10/29/2002	Edwards et al.		
	A9	5,874,064 C1	12/10/2002	Edwards et al.		
	A10	6,503,480 B1	01/07/2003	Edwards et al.		
	A11	2003/0087380 A1	05/08/2003	Fong et al.		
	A12	2003/0099649 A1	05/29/2003	Jacobs et al.		
	A13	2003/0099661 A1	05/29/2003	Valdez et al.		
	A14	2003/0100063 A1	05/29/2003	Fong et al.		
	A15	2003/0104622 A1	06/05/2003	Robbins et al.		

## FOREIGN PATENT DOCUMENTS

DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

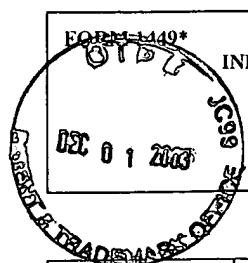
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

A16	"Alkermes™ Science that Delivers," <a href="http://www.alkermes.com/technologies/air_powder.html">http://www.alkermes.com/technologies/air_powder.html</a> , 2 pages (printed June 27, 2003).
A17	Antonicelli, F. et al., "Nacystelyn Inhibits Oxidant-Mediated Interleukin-8 Expression and NF-κB Nuclear Binding in Alveolar Epithelial Cells," <i>Free Radical Biology &amp; Medicine</i> , Vol. 32, No. 6, pp. 492-502 (2002).
A18	Aronica, M.A. et al., "Preferential Role for NF-κB/Rel Signaling in the Type 1 But Not Type 2 T Cell-Dependent Immune Response In Vivo <sup>1</sup> ," <i>The Journal of Immunology</i> , Vol. 163, pp. 5116-5124 (1999).
A19	Baldwin, A.S. Jr., "The NF-κB and IκB Proteins: New Discoveries and Insights," <i>Annu. Rev. Immunol.</i> , Vol. 14, pp. 649-683 (1996).

EXAMINER

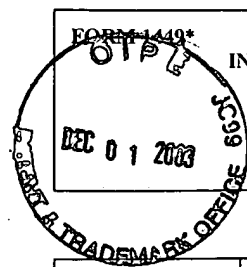
DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

	<b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)		Docket Number: 60068.2US01	Application Number: 10/634,645
			Applicant: ROJAS ET AL.	
			Filing Date: 08/05/2003	Group Art Unit: 1645

	A20	Ballard, D.W. et al., "The v-rel Oncogene Encodes a $\kappa$ B Enhancer Binding Protein That Inhibits NF- $\kappa$ B Function," <i>Cell</i> , Vol. 63, pp. 803-814 (November 16, 1990).
	A21	Blackwell, T.S. et al., "Multiorgan Nuclear Factor Kappa B Activation in a Transgenic Mouse Model of Systemic Inflammation," <i>Am. J. Respir. Crit. Care Med.</i> , Vol. 162, No. 3, pp. 1095-1101 (September 2000) ( <a href="http://ajrccm.atsjournals.org">http://ajrccm.atsjournals.org</a> , 18 pages (printed August 15, 2003)).
	A22	Duckett, C.S., "Structure and Function of the NF-kappa-B Family of Transcription Factors," <i>Promega Notes Magazine</i> , No. 44, 6 pages (November 1993).
	A23	Epinat, J.C. et al., "Diverse agents act at multiple levels to inhibit the Rel/NF- $\kappa$ B signal transduction pathway," <i>Oncogene</i> , Vol. 18, No. 49, pp. 6896-6909 (November 22, 1999) ( <a href="http://www.nature.com">http://www.nature.com</a> , 28 pages (printed August 13, 2003)).
	A24	Ghosh, S. et al., "NF- $\kappa$ B and Rel Proteins: Evolutionarily Conserved Mediators of Immune Responses," <i>Annu. Rev. Immunol.</i> , Vol. 16, pp. 225-260 (1998).
	A25	Jo, D. et al., "Epigenetic regulation of gene structure and function with a cell-permeable Cre recombinase," <i>Nature Biotechnology</i> , Vol. 19, No. 10, pp. 929-933 (October 2001) ( <a href="http://www.nature.com">http://www.nature.com</a> , 11 pages (printed August 13, 2003)).
	A26	Kaiser, J., "Seeking the Cause of Induced Leukemias in X-SCID Trial," <i>Science</i> , Vol. 299, p. 495 (January 24, 2003).
	A27	Lentsch, A.B. et al., "Understanding the Pathogenesis of Inflammation Using Rodent Models," <i>ILAR Journal</i> , Vol. 40, No. 4 (1999) ( <a href="http://dels.nas.edu">http://dels.nas.edu</a> , 7 pages (printed June 2, 2003)).
	A28	Li, Q. et al., "NF- $\kappa$ B Regulation in the Immune System," <i>Nature Reviews Immunology</i> , Vol. 2, No. 10, pp. 725-734 (October 2002) ( <a href="http://www.nature.com">http://www.nature.com</a> , 18 pages (printed August 14, 2003)).
	A29	Lin, Y.Z. et al., "Inhibition of Nuclear Translocation of Transcription Factor NF- $\kappa$ B by a Synthetic Peptide Containing a Cell Membrane-permeable Motif and Nuclear Localization Sequence (*)," <i>JBC Online</i> , Vol. 270, No. 24, pp. 14255-14258 (June 16, 1995)( <a href="http://www.jbc.org/cgi/content/full/270/24/14255">http://www.jbc.org/cgi/content/full/270/24/14255</a> , 31 pages (printed August 14, 2003)).
	A30	Lin, Y.Z. et al., "Role of the Nuclear Localization Sequence in Fibroblast Growth Factor-1-stimulated Mitogenic Pathways (*)," <i>JBC Online</i> , Vol 271, No. 10, pp. 5305-5308 (March 8, 1996) ( <a href="http://www.jbc.org/cgi/content/full/271/10/5305">http://www.jbc.org/cgi/content/full/271/10/5305</a> , 11 pages (printed August 14, 2003)).
	A31	Liu, X.Y. et al., "Identification of a functionally important sequence in the cytoplasmic tail of integrin $\beta_3$ by using cell-permeable peptide analogs," <i>Proc. Natl. Acad. Sci. USA</i> , Vol. 93, pp. 11819-11824 (October 1996).
	A32	Marshall, E., "Gene Therapy a Suspect in Leukemia-Like Disease," <i>Science</i> , Vol. 298, pp. 34-35 (October 4, 2002).
	A33	Marshall, E., "Second Child in French Trial is Found to Have Leukemia," <i>Science</i> , Vol. 299, p. 320 (January 17, 2003).
	A34	Marshall, E., "What to Do When Clear Success Comes With an Unclear Risk?," <i>Science</i> , Vol. 298, pp. 510-511 (October 18, 2002).
	A35	Mora, A.L. et al., "Inefficient ZAP-70 Phosphorylation and Decreased Thymic Selection In Vivo Result from Inhibition of NF- $\kappa$ B/Rel $^{\delta}$ ," <i>The Journal of Immunology</i> , Vol. 167, pp. 5628-5635 (2001) ( <a href="http://www.jimmunol.org">http://www.jimmunol.org</a> , 18 pages (printed August 14, 2003)).
	A36	McLean, S.J. et al., "Sensitive quantitation of chromium-DNA adducts by inductively coupled plasma mass

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	



## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60068.2US01

Application Number:

10/634,645

Applicant: ROJAS ET AL.

Filing Date: 08/05/2003

Group Art Unit: 1645

		spectrometry with a direct injection high-efficiency nebulizer," <i>Toxicol. Sci.</i> , Vol. 46, No. 2, pp. 260-5 (December 1998) ( <a href="http://www.ncbi.nlm.nih.gov">http://www.ncbi.nlm.nih.gov</a> , 1 page (printed July 1, 2003)).
	A37	Murphy, K.M. et al., "Induction by Antigen of Intrathymic Apoptosis of CD4 <sup>+</sup> CD8 <sup>+</sup> TCR <sup>lo</sup> Thymocytes in Vivo," <i>Science</i> , Vol. 250, p. 1720-1723 (December 21, 1990).
	A38	"Nuclear Factor kappa B-p50/p50 homodimer," <a href="http://www.arches.uga.edu/~osuchm/bcmb8010/">http://www.arches.uga.edu/~osuchm/bcmb8010/</a> , 2 pages (printed June 2, 2003).
	A39	Pahl, H., "Activators and target genes of Rel/NF- $\kappa$ B transcription factors," <i>Oncogene</i> , Vol. 18, No. 49, pp. 6853-6866 (November 22, 1999) ( <a href="http://www.nature.com">http://www.nature.com</a> , 28 pages (printed August 14, 2003)).
	A40	Rojas, M. et al., "An Alternative to Phosphotyrosine-Containing Motifs for Binding to an SH2 Domain," <i>Biochemical and Biophysical Research Communications</i> , Vol. 234, No. 3, Article No. RC976694, pp. 675-680 (1997).
	A41	Rojas, M. et al., "Controlling Epidermal Growth Factor (EGF)-stimulated Ras Activation in Intact Cells by a Cell-permeable Peptide Mimicking Phosphorylated EGF Receptor," <i>JBC Online</i> , Vol. 271, No. 44, pp. 27456-27461 (November 1, 1996) ( <a href="http://www.jbc.org/cgi/">http://www.jbc.org/cgi/</a> , 13 pages (printed August 14, 2003)).
	A42	Seetharaman, R. et al., "Essential Role of T Cell NF- $\kappa$ B Activation in Collagen-Induced Arthritis <sup>1</sup> ," <i>The Journal of Immunology</i> , Vol. 163, pp. 1577-1583 (1999).
	A43	Tam, J.P. et al., "Peptide synthesis using unprotected peptides through orthogonal coupling methods," <i>Proc. Natl. Acad. Sci USA</i> , Vol. 92, pp. 12485-12489 (December 1995).
	A44	Terpe, K., "Overview of tag protein fusions: from molecular and biochemical fundamentals to commercial systems," <i>Appl Microbiol Biotechnol</i> , Vol. 60, pp. 523-533 (2003).
	A45	Torchinsky, A. et al., "NF- $\kappa$ B DNA-binding activity in embryos responding to a teratogen, cyclophosphamide," <i>BMC Developmental Biology</i> , Vol. 2, No. 2, 11 pages (2002).
	A46	Turkson, J. et al., "Phosphotyrosyl Peptides Block Stat3-mediated DNA Binding Activity, Gene Regulation, and Cell Transformation," <i>J. Biol. Chem.</i> , Vol. 276, Issue 48, pp. 45443-45455 (November 30, 2001) ( <a href="http://www.jbc.org">http://www.jbc.org</a> , 23 pages (printed August 14, 2003)).
	A47	Verma, I.M. et al., "Rel/NF- $\kappa$ B/I $\kappa$ B family: intimate tales of association and dissociation," <i>Genes &amp; Development</i> , Vol. 9, pp. 2723-2735 (1995).
	A48	Wang, S. et al., "A Role for a Melanosome Transport Signal in Accessing the MHC Class II Presentation Pathway and in Eliciting CD4 <sup>+</sup> T Cell Responses <sup>1</sup> ," <i>The Journal of Immunology</i> , Vol. 163, pp. 5820-5826 (1999).
	A49	Woronicz, J.D. et al., "I $\kappa$ B Kinase- $\beta$ : NF- $\kappa$ B Activation and Complex Formation with I $\kappa$ B Kinase- $\alpha$ and NIK," <i>Science</i> , Vol. 278, pp.866-870 (October 31, 1997).
	A50	Wu, Y. et al., "Calmodulin Kinase II and Arrhythmias in a Mouse Model of Cardiac Hypertrophy," <i>Circulation</i> , Vol. 106, No. 10, p. 1288 ( <a href="http://circ.ahajournals.org">http://circ.ahajournals.org</a> , 14 pages, (published online before print August 19, 2002) (printed August 15, 2003)).
	A51	Zhao, Y. et al., "Chemical engineering of cell penetrating antibodies," <i>Journal of Immunological Methods</i> , Vol. 254, pp. 137-145 (2001).

23552

PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.